

Notice of Allowability

Application No.

09/325,040

Examiner

Donald L. Champagne

Applicant(s)

BREWSTER ET AL.

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to BPAI decision mailed on 27 October 2005.
2. ☒ The allowed claim(s) is/are 1-22,33-48 and 78-85.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT, Rule 17.2(a)).
* * Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other


DONALD L. CHAMPAGNE
PRIMARY EXAMINER

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment is given in the attached facsimile transmission from Curtis G. Rose, Esq.
3. This amendment implements the decision mailed by the Board of Patent Appeals and Interferences on 27 October 2005, and corrects an error in one claim. See the fax transmitted to attorney Rose on 14 March 2006.
4. The application has been amended as follows:

Cancel claims 23-32 and 49-77.

Respectively replace claims 1-22, 33-48 and 78-85 with the similarly numbered claims in the attached facsimile transmission from Curtis G. Rose, Esq.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The examiner can normally be reached from 6:30 AM to 5 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at donald.champagne@uspto.gov, and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.
6. The examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for all *formal* fax communications is 571-273-8300.
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information

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about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Donald L. Champagne
Primary Examiner
Art Unit 3622

16 March 2006

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PROPOSED EXAMINER'S AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In re application of: Jon Brewster et al Art Unit: 3622

Examiner: Donald L. Champagne

Serial Number: 09/325,040

Filed: June 7, 1999

10 Title: Document Delivery System for Automatically Printing a
Document on a Printing Device

Date: March 14, 2006

PROPOSED EXAMINER'S AMENDMENT

15 TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Sir:

20 In response to the Fax received from Examiner Donald L. Champagne on
March 14, 2006, Applicants propose the following Examiner's Amendment to
place this application in condition for allowance:

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PROPOSED EXAMINER'S AMENDMENT

Amendments to the Claims

1. (Previously Amended) In a document delivery system having a document capable of being operatively coupled to a printing device, a method of printing
5 the document on the printing device comprising the steps of:

storing a print schedule with an indication that the document should be printed at a user requested time;

10 automatically requesting, without user intervention, the document based on the print schedule;

transmitting the document to the printing device; and

15 causing automatic printing, without user intervention, the document on the printing device.

2. (Original) The method of claim 1, further comprising the step of:

20 storing a user profile.

3. (Previously Amended) The method of claim 2, further comprising the step of:

25 responsive to causing printing of the document on the printing device, updating the user profile with an indication that the document printed successfully.

4. (Original) The method of claim 3, further comprising the step of:

30 responsive to the updating step, subsidizing a product for a user.

5. (Original) The method of claim 4, wherein the subsidizing a product step further comprises the step of:

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sending a print consumable to the user.

6. (Original) The method of claim 4, wherein the subsidizing a product step
5 further comprises the step of:

sending a coupon for a free print consumable to the user.

7. (Original) The method of claim 4, wherein the subsidizing a product step
10 further comprises the step of:

sending a coupon for a reduced price print consumable to the user.

8. (Original) The method of claim 4, wherein the subsidizing a product step
15 further comprises the step of:

sending printable media to the user.

9. (Original) The method of claim 4, wherein the subsidizing a product step
20 further comprises the step of:

sending a coupon for printable media to the user.

10. (Original) The method of claim 4, wherein the subsidizing a product step
25 further comprises the step of:

sending a second printing device to the user.

11. (Original) The method of claim 4, wherein the subsidizing a product step
30 further comprises the step of:

sending a coupon for a second printing device to the user.

12. (Original) The method of claim 2, further comprising the steps of:

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including advertising content into the document.

13. (Original) The method of claim 12, wherein the step of including
5 advertising content further comprises the step of:

personalizing the advertising content based on the user profile.

14. (Original) The method of claim 2, wherein the step of transmitting the
10 document further comprises the step of personalizing the content of the
document based on the user profile.

15. (Previously Amended) The method of claim 13, further comprising the
step of:

15

responsive to the causing printing step, updating the user profile with
an indication that the document printed successfully.

16. (Original) The method of claims 15, further comprising the step of:

20

responsive to the updating step, subsidizing a product for a user.

17. (Original) The method of claim 16, wherein the subsidizing a product step
further comprises the step of:

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sending a print consumable to the user.

18. (Original) The method of claim 16, wherein the subsidizing a product step
further comprises the step of:

30

sending a coupon for a free print consumable to the user.

19. (Original) The method of claim 16, wherein the subsidizing a product step
further comprises the step of:

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sending a coupon for a reduced price print consumable to the user.

20. (Original) The method of claim 16, wherein the subsidizing a product step
5 further comprises the step of:

sending printable media to the user.

21. (Original) The method of claim 16, wherein the subsidizing a product step
10 further comprises the step of:

sending a coupon for printable media to the user.

22. (Original) The method of claim 16, wherein the subsidizing a product step
15 further comprises the step of:

sending a second printing device to the user.

~~23-32. (Cancelled)~~

20

33. (Currently Amended) The method of claim 3, further comprising the steps
of:

25 a the document server inserting personalized advertising into the
document from an advertising provider based on the user profile; and

retrieving the document from the document server coupled to the
printing device via a network.

- 30 34. (Previously Amended) A method, comprising the steps of:

electronically monitoring by a document server the usage of a printing
device; and

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PROPOSED EXAMINER'S AMENDMENT

subsidizing the purchase of a product, based on the electronically monitoring step.

35. (Previously Amended) The method of claim 34, wherein the electronically
5 monitoring step further comprises the step of:

updating a user profile to indicate that a document has been printed for a user.

- 10 36. (Previously Amended) The method of claim 35, wherein the updating step indicates that advertising in the document has been printed.

37. (Previously Amended) The method of claim 34, wherein the electronically
15 monitoring step further comprises the step of:

updating a user profile to indicate the amount of ink that was used when a document was printed.

38. (Previously Amended) The method of claim 37, wherein the updating step
20 further comprises the steps of:

updating the user profile to indicate the amount of each of a plurality of different colored ink that was used when a document was printed.

- 25 39. (Previously Amended) The method of claim 34, wherein the product in the subsidizing step is a print consumable.

40. (Previously Amended) The method of claim 34, wherein the product in the subsidizing step is printable media.

- 30 41. (Previously Amended) The method of claim 34, wherein the product in the subsidizing step is a second printing device.

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42. (Previously Amended) The method of claim 34, wherein the product in the subsidizing step is a subscription.

43. (Previously Amended) The method of claim 34, wherein said subsidizing step is funded by advertising revenue.

44. (Previously Amended) The method of claim 34, wherein said subsidizing step is funded by distribution revenue.

45. (Previously Amended) The method of claim 43, wherein said subsidizing step is funded by distribution revenue.

46. (Previously Amended) The method of claim 35, further comprising the step of providing information about the document that was printed for the user to an advertising provider.

47. (Previously Amended) The method of claim 35, further comprising the step of providing information about the document that was printed for the user to a content provider.

48. (Previously Amended) The method of claim 46, further comprising the step of providing information about the document that was printed for the user to a content provider.

~~25 49-77 (Cancelled)~~

78. (Currently Amended) In a document delivery system having a document capable of being operatively coupled to a printing device, a method of printing the document on the printing device comprising the steps of:

storing a print schedule;

automatically requesting, without user intervention, the document based on the print schedule;

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PROPOSED EXAMINER'S AMENDMENT

transmitting the document to the printing device;

5 causing automatic printing, without user intervention, the document on
the printing device;

storing a user profile; and

responsive to causing printing of the document on the printing device,

10 updating the user profile with an indication that the document printed

successfully ~~The document delivery system of claim 77,~~ wherein the print
schedule further comprises an indication that the document should be printed
at a user requested time.

15 79. (Previously Amended) The document delivery system of claim 78, wherein
the user requested time is a specific day of the week or month.

80. (Previously Amended) The document delivery system of claim 78, wherein
the user requested time is the lapse of a user specified time period.

20

81. (Previously Amended) A method, comprising the steps of:

electronically monitoring by a document server the usage of a printing
device; and

25

subsidizing the purchase of a product that is depleted upon the usage
of the printing device, based on the electronically monitoring step.

30 82. (Previously Amended) The method of claim 81, wherein the product in the
subsidizing step is mailed to the user.

83. (Previously Amended) The method of claim 81, wherein a coupon for the
product in the subsidizing step is sent to the user.

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84. (Previously Amended) The method of claim 81, wherein the product in the subsidizing step is a print consumable.

85. (Previously Amended) The method of claim 81, wherein the product in the
5 subsidizing step is printable media.

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PROPOSED EXAMINER'S AMENDMENT

REMARKS

Applicants received a fax from Examiner Donald Champagne on March 14, 2006, where he requested a Proposed Examiner's Amendment to put this case in condition for allowance. In response to this fax, Applicants propose that Claims 33 be amended to correct an antecedent basis issue, withdrawn claims 23-32 and 49-76 be cancelled, claim 77 (the rejection of which was sustained on appeal) be cancelled, and claim 78 be amended in independent form to include the limitations of cancelled claim 77.

Claims 1-22, 33-48, and 78-85 are deemed to be in condition for allowance, and such allowance is respectfully requested.

Respectfully Submitted,

Jon Brewster et al

By: 

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